IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE NINTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NOs:9935 and 9939 of 2005

WRIT PETITION NO: 9935 of 2005

Between:

R.K.Upper Primary School,Banglathota, Nellore, Rep. by its Correspondent.

..... PETITIONER

AND

1 The State of A.P Rep. by its Secretary to Govt., Education Dept., Secretariat Saifabad, Hyderabad.
2 The Director of School Education A.P Hyderabad
3 The District Education Officer, Nellore.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue appropriate writ order or direction more particularly one in the nature of writ of Mandamus declaring as illegal arbitrary the proceedings of the 3rd Respondent in R.C.No.5865/C1/2004 dt.5-12-04 and issue a consequential direction to the Respondents to approve the selection made by the petitioner without reference to Memo No. 12080/COSE/A2/2004-4 dt.20-10-04.

Counsel for the Petitioner: MR.AKA.VENKATARAMANA

Counsel for the Respondents: GP FOR EDUCATION

WRIT PETITION NO : 9939 of 2005

Between:

R.K. Aided Elementary School, Chakalakonda,

Vinjamur Mandal, Nellore, Dist., rep.by its Correspondent.

..... PETITIONER

AND

1 The State of A.P. Rep. by its Secretary to Government Education

Department, Secretariat Saifabad, Hyderabad.
2 The Director of School Education, A.P. Hyderabad,.
3 The District Educational Officer, Nellore.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ, order or direction more particularly one in the nature of writ of mandamus declaring as illegal arbitrary and unconstitutional the proceedings of the 3rd respondent in Rc.No.4287/C2/2004 dt.28-12-2004 and issue a consequential direction to the respondents to forthwith approve the selection made by the petitioner on 19-09-2004 without reference to Govt. Memo.No.12080/COSE/A2/2004-4 dated 20-10-2004 with all benefits to the selected candidates.

Counsel for the Petitioner: MR.AKA.VENKATARAMANA

Counsel for the Respondents: GP FOR EDUCATION

The Court at the stage of admission made the following:

COMMON ORDER:

These two writ petitions are filed aggrieved by the action of the third respondent in rejecting the proposals sent for approval with reference to the selection and appointment of the teaching staff.

2. According to the petitioners, certain vacancies had arisen in the petitioners' institutions. Therefore, permission was sought for from the competent authority and accordingly the competent authority also passed orders permitting the petitioners to go with the selection process. Accordingly selection process was completed and when the approved candidates names were sent for approval, the approval was rejected on the ground that the Government imposed a ban by a memo dated 20-10-2004. Hence, the present writ petitions.

3. At the time of hearing, both sides represented that similar matters were already been disposed of allowing the writ petitions directing the respondents to pass orders approving the list of candidates sent by the petitioners where permission was accorded for filling of the vacancies prior to the imposition of the ban by a memo dated 20-10-2004. Therefore, the impugned orders are set aside and the respondents are directed to pass orders expeditiously, preferably, within a period of four weeks from the date of receipt of a copy of this order.

4. The writ petitions are accordingly disposed of. No order as to costs.

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S.ANANDA REDDY, J

09th June, 2005

SKM

Note:

Furnish CC within three days.

B/o.

SKM
To

1 The Secretary to Government, State of A.P., Education

Department, Secretariat Saifabad, Hyderabad.
2 The Director of School Education, A.P. Hyderabad,.
3 The District Educational Officer, Nellore.

4 Two C.Cs. to G.P. for Education, High Court Buildings,

High Court of A.P., Hyderabad (OUT)

5 2 CD copies

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